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*Attorneys for Pacific Medical Laboratory, Inc.*

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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ARUP LABORATORIES, INC., a Utah  
corporation,

Plaintiff,

v.

PACIFIC MEDICAL LABORATORY, INC.,  
a California corporation,

Defendant.

**NOTICE OF REMOVAL**

State Case No. 200901303 (Third Judicial  
District Court of Salt Lake County, Utah)

Case No. 2:20-cv-00186-DBP

Magistrate Judge Dustin B. Pead

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**NOTICE OF REMOVAL BASED ON DIVERSITY OF CITIZENSHIP**

Defendant Pacific Medical Laboratory, Inc. (“Pacific Medical”) through its undersigned counsel and pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, hereby removes this action to the United States District Court, District of Utah, and in support thereof Pacific Medical states as follows:

**BACKGROUND AND PARTIES**

1. This action was filed on or about February 14, 2020 in the Third Judicial District Court, in and for Salt Lake County, State of Utah, Case number 200901303, and styled *ARUP*

*Laboratories, Inc. v. Pacific Medical Laboratory, Inc.* (the “State Action”). [A copy of ARUP’s “Verified Complaint” is submitted herewith as Exhibit A.]

2. Pacific Medical was served with process and a copy of a Plaintiff ARUP Laboratories, Inc. (ARUP”) Complaint on or about February 20, 2020. [A copy of ARUP’s “30-Day Summons” is attached hereto as Exhibit B.]

3. ARUP’s Complaint alleges claims for “breach of agreement,” “claim on account/services provided,” and “unjust enrichment. ARUP seeks damages in excess of \$75,000. [See Verified Complaint, ¶¶ 14, 16, 23 (alleging damages in the amount of “\$180,010.57.”).]

4. Plaintiff ARUP is a Utah corporation with its principal place of business in Salt Lake County, Utah. [Verified Complaint, ¶ 1.]

5. Pacific Medical is a California corporation with its principal place of business in Irvine, California. [Verified Complaint, ¶ 2.]

6. The district courts of the United States have original jurisdiction of all civil actions between citizens of different states where the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs. 28 U.S.C. § 1332(a).

7. Because this civil action asserts claims involving citizens of different states with the amount in controversy alleged to be in excess of \$75,000, this Court has original jurisdiction of the action, and Pacific Medical may remove this action to the United States District Court for the District of Utah, under the provisions of 28 U.S.C. § 1441(a).

8. This Notice is filed within thirty days after Pacific Medical was served with the Summons and Complaint in the State Action, as required by 28 U.S.C. § 1446(b). This action is not more than one year old.

9. Attached hereto as Exhibits A and B are copies of the Verified Complaint and Summons, respectively. No further proceedings have occurred in the State Action.

10. Pursuant to 28 U.S.C. § 1441(b), the entire case may be removed, and the district court may determine all issues.

11. Pursuant to 28 U.S.C. § 1446(b), promptly after filing this Notice of Removal, Pacific Medical will give written notice thereof to ARUP and will file a copy of the Notice with the Third Judicial District Court, in and for Salt Lake County, State of Utah.

WHEREFORE, Pacific Medical through its legal counsel gives notice that the State Action is removed to the United States District Court, District of Utah.

**NOTICE OF NONWAIVER AND RESERVATION OF RIGHTS**

By filing this Notice of Removal, Pacific Medical does not waive, and expressly reserves, any defenses.

Dated this 19th day of March, 2020.

PARR BROWN GEE & LOVELESS, P.C.

/s/Jeremy M. Brodis  
Royce B. Covington  
Jeremy M. Brodis

*Attorneys for Pacific Medical Laboratory, Inc.*

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that on the 19th day of March, 2020, a true and correct copy of the foregoing **NOTICE OF REMOVAL** was sent via email and first class United States mail on the following:

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/s/ Jeremy M. Brodis